

**CITY OF LAS VEGAS MINUTES OF THE CITY COUNCIL MEETING HELD ON
WEDNESDAY, JULY 26, 2006 AT 6:00 P.M., IN THE CITY COUNCIL CHAMBERS.**

MAYOR: Henry O. Sanchez

COUNCILORS: Morris Madrid
Macario Gonzalez
Diane M. Moore
Michael Gallegos
Tony E. Marquez, Jr.
Louie A. Trujillo
Cruz E. Roybal, Jr.

ALSO PRESENT: John Avila, City Manager
CherylAnn Yara, City Clerk
Matthew J. Sandoval, City Attorney
Ann Marie Gallegos, Financial Specialist
Tim Gallegos, Sergeant at Arms

ABSENT: Eugene A. Romero

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

MOMENT OF SILENCE

Mayor Henry O. Sanchez for a moment of silence for all of our dear loved ones who have passed away in our community recently.

ACKNOWLEDGEMENTS

Kathy Cordova, Keep America Beautiful Coordinator advised that the youth have less than a week left of work and provided Mayor and Council with a small portfolio of projects which the youth worked on. She spoke on the alleyways, ditches and many areas which were worked on by the Youth Program and advised that they picked up pounds and pounds of trash. Ms. Cordova advised that she is very proud of the members of the Youth Program and although they were unable to attend the meeting tonight, they will be given their certificates at another time.

Approval of recommendation of Eugene A. Romero, Businessman, as the Northern Area Local Workforce Development Board Representative from the City of Las Vegas.

Councilor Tony E. Marquez, Jr. asked City Manager Avila who the current representative for the City of Las Vegas is.

Mayor Sanchez advised that Ernie Quintana was the representative, although he has recently gone through hip surgery and has been the last representative for the City of Las Vegas.

Councilor Marquez voice his concern about someone being displaced with this nomination.

City Manager Avila advised that he is not aware of any displacement, although they have allowed San Miguel County and the City of Las Vegas to serve representatives.

After some discussion, it was determined that this issue would be looked into further in order to make sure that no one is being displaced with this nomination.

APPROVAL OF AGENDA

City Manager Avila advised that with tonight's agenda, we have an emergency inclusion of a Memorandum of Understanding with New Mexico Highlands University and is recommending that it be placed first on the agenda under Business Items. He then advised that Councilor Eugene Romero is unable to be present tonight due to a previous engagement, although, he has requested that item #10 under Business Items be removed from the Agenda, and brought back at another time. City Manager Avila also recommended that his City Manager Report be placed before the Housing Agenda, and suggested that this report come before Housing at all meetings just in case there is a report regarding Housing which must be made by the City Manager.

Councilor Michael Gallegos moved for approval of the Agenda. Councilor Morris Madrid seconded the motion. The motion carried.

APPROVAL OF MINUTES (Approval of the July 5, 2006 City Council Meeting Minutes).

Councilor Madrid moved for approval of the July 5, 2006 City Council Meeting Minutes. Councilor Macario Gonzalez seconded the motion. The motion carried.

PRESENTATIONS

Mr. Adrian Ortiz of the Northern Area Workforce Board addressed Mayor and Council and submitted a packet for them to review. Mr. Ortiz then gave an overview of what the Workforce Investment Act is about and how it has impacted the City of Las Vegas, County of San Miguel and the Northern region. He advised that the WIA came into effect in 1998 and is a new and better model which was enacted by Congress in 1998 and adopted by the State in 1999 and implementation began in late 1999 early 2000. He presented a power point which listed the goals of the WIA, the structure of the WIA which have four titles with money behind them. Mr. Ortiz also spoke of WIA funding and their responsibilities. He also went over the power point packet which he presented to Mayor and Council which included information such as the areas which are covered by the WIA, Goals, Key Principles, Structure of the WIA, the Governance of the WIA, the Board itself, Statewide activities, local boards, local board composition, local board functions, conflict of interest, Youth Council and their duties, One-Stop service delivery system, local board one-stop operator, specifications of the contract, core services, intensive services,

Mr. Ortiz advised that he will get with Mr. Avila in order to appear at the meetings periodically.

****6:30 p.m., Councilor Louie Trujillo is now present.***

PUBLIC INPUT

Mr. Eddie Lujan addressed Mayor and Council and asked for donations for the Special Olympics. Mr. Lujan advised that it takes approximately \$15,000 to run the Special Olympics with about 40 athletes and an old bus which barely runs. He advised that the athletes compete in about 7 different sports. He advised that this is done only by donations.

Councilman Marquez asked if the City has a line item which we may be able to help out.

City Attorney Matthew J. Sandoval advised that we may have to be careful with the anti-donations clause but it something which should be looked into.

Councilor Gonzalez advised that he would like this issue referred to the Office of the City Manager and that he will work with him to find some means of addressing this issue.

Mr. Patrick Padilla of 4-H addressed Mayor and Council to give an update. He advised that they just hosted a rodeo with 98 contestants from throughout the State. He then spoke of a flyer which Lodgers' Tax helped pay for. He spoke on the t-shirts which the kids are wearing tonight which advertise Las Vegas, San Miguel in hopes of bringing in a lot of interest for the other areas around. They hope to host this event next year again and hopefully host the State event. They thanked the Lodgers' Tax Advisory Board for their help and presented a certificate of appreciation to Mayor and Council.

Next, Elmer Martinez addressed Mayor and Council regarding the Rough Rider Biker Rally. Elmer advised that last year a committee was put together to put together the rally and will be held on this coming week end. Mr. Martinez advised that the rally will begin with a blood drive with registration to follow, there will be a barbeque at the Train Depot which will help to benefit the rally for next year, there will be music in the park with booths on the outside of the parameter of the park. He advised that there will be a poker run, a bike show, a tattoo contest as well as a bike rodeo, there will also be door prizes and drawings, a small service blessing and the raffling off of the motorcycle/chopper.

Next, Ms. Geri Roper addressed Mayor and Council regarding Relay for Life and asked for donations for the relay. She passed out a flyer which gave the information which would be needed for the Relay.

CITY MANAGER'S INFORMATIONAL REPORT (John Avila, City Manager)

City Manager Avila began with New Mexico Highlands University, he advised that there have been changes there and he would like to see that we have continued efforts with the University for continued involvement, he recognized Mr. Max Baca, Director of IT who has helped us a lot in our upgrades and has helped with the A-4 agreement with Qwest with 200,000,000 going to

the schools throughout the State for upgrades with their IT's and Mr. Baca is following up on this. He then advised that EDC has some news that they have picked up another \$7,000 to add to their \$100,000 for media and promotion and \$100,000 for the Dee Bibb Industrial Site and without making that a specific requirement in our contract, he recommended that all local medial have an opportunity to help with that. He then asked EDC to look into seeing whether or not there is a need to same some jobs over at the Call Center. Mr. Avila then advised that he had intended to set up a workshop with Council for the end of this month, although with everything that is going on, the earliest will be next week, Tuesday at 1:00, possibly at the Police Department to go over funding priorities, and following that, a workshop of funding sources on Wednesday at 5:00 at City Hall. He then commended Ann Marie Gallegos for her service as a contract provider and is looking at having a recommendation for hiring a Finance Director by mid August. He then advised that Lt. Gene Garcia is not here tonight for he EMO report and introduced Chief Tim Gallegos who will give the report in his absence. He then introduced Mr. Robert Anaya who has been contracted to help with the Housing issues as well as scheduling a work session with Council in mid August.

Councilor Trujillo asked City Manager Trujillo to please poll the Council as to a good date for the work session as some may not be able to attend on the suggested dates.

Councilor Madrid advised that he too is busy with budgets and asked that if Council is unable to attend the work session, that the be allowed to submit their needs in writing and have them considered.

Chief Gallegos spoke on some of the areas which have been worked on in terms of the Emergency Operations Plan, being the health annex, the pandemic annexation. He advised that they have worked hard on the in-place protective shelter which includes an animal shelter process with new locations and a new procedure. He also touched on help with the American Red Cross in terms of what they will be doing as part of that Annex. He advised that they have worked with the Fire Chief on the Fire Annex and the Communications Center to complete the Annex dealing with communications. He advised that the majority of the changes include updating of information in terms of names, numbers, locations, sites and different things like that within each of these Annexes. He then advised that the only thing different which he is working on is adding an Agriculture Terrorism Component to this.

HOUSING AGENDA

Councilor Madrid moved to recess the Council and convene into the Housing Agenda. Councilor Gonzalez seconded the motion.

Mayor Sanchez asked for a roll call vote. Roll call was taken and reflected the following:

Cruz E. Roybal, Jr.	Yes	Louie A. Trujillo	Yes
Tony E. Marquez, Jr.	Yes	Michael Gallegos	Yes
Diane M. Moore	Yes	Macario Gonzalez	Yes
Morris Madrid	Yes		

City Clerk CherylAnn Yara re-read the motion and advised that the motion carried.

ROLL CALL

Chairman Henry O. Sanchez	Present
Commissioner Morris Madrid	Present
Commissioner Macario Gonzalez	Present
Commissioner Diane M. Moore	Present
Commissioner Michael Gallegos	Present
Commissioner Tony E. Marquez, Jr.	Present
Commissioner Louie A. Trujillo	Present

APPROVAL OF HOUSING AGENDA

Commissioner Madrid moved for approval of the Housing Agenda. Councilor Trujillo seconded the motion.

Commissioner Marquez asked about the Tenant Commissioner who has been absent from the meetings from quite some time.

Interim Housing Director, Chris Barela advised Commissioner Marquez that the Tenant Commissioner has moved from her housing development and they are currently in the process of rel-electing within housing residents, although they have not had a quorum in order to do so.

Mr. Barela then thanked Mayor and Commissioners for their support during the happenings at the Housing Authority. He then advised that within weeks, the Housing Authority will be providing information/accomplishments on a Memorandum of Agreement, more often and on a more consistent basis. Mr. Barela then gave a re-cap of the past year regarding HUD, their reports and their visits. Mr. Barela advised that on August 29, 2005, monitoring review provided by HUD, October 12, 2005, we provided a response to that monitoring review, February 14, 2006, HUD provided a response to our response of the monitoring review, February 28, 2006, Claudel, the Independent Assessment Contractor, contracted out by HUD, provided a report. Mr. Barela continued with a Memorandum of Understanding which was issued on April 21, 2006 with approval by the Board of Commissioners on May 17, 2006, on May 31, 2006, fully executed agreement from the City and HUD, June 15, 2006, Memorandum of Agreement approved by HUD, July 7, 2006, Agreement executed as Mr. City Manager indicated in his report, for Professional Services with the City Housing Authority, the City and Mr. Robert Anaya for his Professional Services. Mr. Barela advised that he, Mr. Anaya and staff attended the first of may meetings to come with HUD staff, which lasted approximately 3 ½ hours which is the most productive meeting which they have had with these individuals and was way overdue, and they were able to address all concerns, both ways, comments and they left feeling that now is a perfect beginning stage for executing the Memorandum of Agreement. At this time, Mr. Barela introduced Mr. Robert Anaya.

Mr. Robert Anaya then spoke on behalf of Housing and advised that the City of Las Vegas and the Public Housing Authority advised that it is a pleasure to be here to help the City of Las Vegas Public Housing Authority, as he has been in Housing Programs for several years. Mr. Anaya

advised that the Santa Fe County Housing Authority had a similar situation in being in troubled status and being under a Memorandum of Agreement. Mr. Anaya then advised that based on the provisions of the MOA, the CLV and PHA are faced with 295 action items which must be addressed in order to show progress and demonstrate the City of Las Vegas Public Housing is committed to Housing Programs, and make that Housing Authority succeed. He then advised that based on the initial reviews which he has done with the MOA and some of the initial discussions which he has had with HUD and staff, that there is the capacity within the Housing Authority to rectify those issues which are within the MOA. He advised that it is going to take a lot of work and a lot of patience which he is asking of Mayor and Council. Mr. Anaya advised that one of the things which he has observed while working with the Housing Authority is that there is a clear disjoint of communication between the Housing Authority and the Housing and Urban Department. He then advised that based on the discussion with HUD, they want to see the Housing Authority succeed. Mr. Anaya thanked Council, Ann Marie Gallegos and the City Manager for their assistance and support as they are bringing forth their budget and are taking into account what the Housing Authority needs. Mr. Anaya advised that there are going to be some difficult decisions which the Commission is going to have to make. Again Mr. Anaya asked for patience on behalf of the Housing Authority, as we have until June 30th to show that we have progressed on the 295 items. Mr. Anaya advised HUD that realistically, all 295 items will not be addressed and he was advised that as long as we progress on the 295 items on the MOA and show a clear constant progression it will be considered. In closing, Mr. Anaya advised that there are some decisions which have been made historically that this Commission may have to look at again.

Commissioner Moore then questioned what the amount the contract for Mr. Anaya is for, and for how long.

City Manager Avila advised that Mr. Anaya is contracted at \$30.00 an hour with approximately 40 hours a month, and is not to exceed \$20,000.

Commissioner Moore then advised that there had been talk earlier on about an independent Board and asked Mr. Anaya if this would be something that he would be working on.

Mr. Anaya advised that looking at the magnitude of the MOA and then understanding historically what has happened, it would be in the best interest in the long term to have an independent Board, but first the Commission must be truly up to speed as to what has occurred.

Commissioner Marquez asked Mr. Anaya how he plans to submit his reports and how often he will submit the reports.

Mr. Anaya advised that he is required to provide written and oral reports to Mr. Avila and he will continue to do that and he will also continue to attend the Council meetings as necessary so that Council has the information which he needs.

Commissioner Moore then thanked Mr. Anaya and asked that he help groom Mr. Barela to be the Executive Director as we are well over due.

Commissioner Madrid moved to adjourn the Housing Commission and reconvene into regular session. Commissioner Trujillo seconded the motion

Chairman Sanchez asked for a roll call vote. Roll call was taken and reflected the following:

Cruz E. Roybal, Jr.	Yes	Louie A. Trujillo	Yes
Tony E. Marquez, Jr.	Yes	Michael Gallegos	Yes
Diane M. Moore	Yes	Macario Gonzalez	Yes
Morris Madrid	Yes		

City Clerk Yara re-read the motion and advised that the motion carried.

BACK IN REGULAR SESSION

FINANCE REPORT

Ann Marie Gallegos advised that we exceeded our budgeted revenues by approximately 20% which helped us close with a favorable cash balance of \$1,465,000. She spoke on the enterprise in the general fund, expending \$9,046,000 and we were right on target, ending up with \$38,834 in the positive side. She then spoke of the enterprise funds ending up with 17,303,000 of actual revenues and that was due to the gas department and the increase in the fuel cost and the gas sales and on the expenditure side, we closed with \$14,404,000 in actual expenditures with an available budget of \$1,543,000 and closing with a cash balance of \$5,090,000, however our gas and our solid waste are still are in a little bit of a negative cash balance, although we are looking at working with the cash balance over the next two to three years an erasing the negative numbers that we have. She advised that there is a plan in place and it has been implemented as of July 1, 2006. Ms. Gallegos then spoke on the Recreation Center and advised the revenues were \$237,579, and has a Memorandum of Agreement with one of the other department, and the MOA fell through and if it would have gone through, we would have met the revenue which was anticipated bringing in. She then advised that the actual expenditures were \$664,838, ending up with a favorable cash balance of \$100,000, giving us an opportunity to reduce the transfer in the 2007 budget by \$100,000 for Recreation and she will be reviewing that with Council later on.

Councilor Michael Gallegos asked if we are able to spending the \$500.00 which were appropriated by the Legislature for the Shooting Range and the monies for the Pancho Padilla Soccer field.

Ms. Gallegos advised that we are good to go on those monies.

Councilor Moore advised that she looked at the budget and was hoping that there would have been a line item for the Firefighters which was discussed, as well salary increases. She then spoke on her concern on the Professional fees as well as the Attorney's fees, and she was a little disappointed that there is no money for the Firefighters and salary increase. She asked when Ms. Gallegos anticipates that the 2005 audit will be completed.

Ms. Gallegos advised that she hopes that by the second meeting in August, she will bring the

audit before Council for approval.

Louie asked John to look into accounting practices at the Airport.

Diane asked John to follow up with reports regarding the departments who are having torts filed.

BUSINESS ITEMS

1. Temporary Memorandum of Understanding between the City of Las Vegas and New Mexico Highlands University for the use of effluent water for the New Mexico Highlands University Golf Course.
2. Approval of contract between the Economic Development Corporation and the City of Las Vegas.
3. Consideration and approval of the renewal of the contract for advertising, tourism, promotion and special event services with the Las Vegas-San Miguel Chamber of Commerce. The Lodgers' Tax Advisory Board is recommending approval. The recommended contract amount is \$107,000. The Lodgers' Tax Advisory Board recommends approval of the proposed contract.
4. Approval of Resolution No. 06-30, Budget Adjustment of increase and revenues, expenditures and transfers. Resolution is required for budget adjustment submission to the Department of Finance & Administration-Local Government Division.
5. Approval of Resolution No. 06-31, Adoption of fiscal year 2006-2007 Final Budget. Resolution is required for budget submission to the Department of Finance & Administration-Local Government Division by deadline of July 31, 2006.
6. Approval of recommendation of the firm The Accounting and Consulting Group for the fiscal year 2006 audit.
7. Approval of Resolution No. 06-28, (\$2,277,000), authorizing Grant Agreement by and among the City of Las Vegas and the New Mexico Finance Authority solely for Waste Water Treatment Plant Upgrade.
8. Approval of Resolution No. 06-29, (\$399,996), authorizing Grant Agreement by and among the City of Las Vegas and the New Mexico Finance Authority, solely for Waste Water Treatment Plant Upgrade.
9. Approval of Resolution No. 06-32, (\$1,471,400), authorizing Grant Agreement by and among the City of Las Vegas Water Trust Board and the New Mexico Finance Authority, solely for Waste Water Treatment Plant Upgrade.
10. Approval of Addendum #1, Contract #1579-05, Assaigai Laboratories. The City of Las Vegas utilizes Assaigai Laboratories for Laboratory Analysis. The term may be extended

from year to year for a maximum of four (4) years.

11. Approval of Administrative Regulation No. AI-6-171, Creating a Safety Incentive for 2006.
12. Consider award of the construction bid for the City of Las Vegas Municipal Airport improvement Project - 2006/Runway 2-20 Medium Intensity Runway Lighting (MIRL), & Runway 14-32 PLASI & Guidance Signs for the Electric Horseman who is the low bidder for the construction for referenced project, in the amount of \$338,120.00; as approved by the Federal Aviation Administration and the New Mexico State Aviation Division. This is for the project in its entirety, as bid, inclusive of Bid Lot #1 and Bid Lot #2.
13. Discussion and Direction regarding the Office of Emergency Management Homeland Security Grant Sub-Grant Agreements for 2004-2005. The Office of the Emergency Management has been awarded a Homeland Security Grant that included Sub-Grant Agreements for 2004-2005. The amounts and uses are outlined in each agreement. The Office of the Emergency Management will utilize the monies awarded for the purposes intended as outlined in each agreement.

OUT OF STATE TRAVL

- § Approval of Out of State Travel for Sergeant Richard Romero to attend training on equipment (Video Detective) acquired through a grant, in Orlando, Florida in the month of August. The Office of Emergency Management applied for a Commercial Equipment Direct Assistance Program (CEDAP) Grant from the Department of Homeland Security and were awarded an approximately \$40,000.00 piece of equipment called "The Video Detective". The Video Detective is a portable, real-time video enhancement system utilized to eliminate camera jitter, motion effect, darkened & washed out scenes, low resolution, etc. It will be assigned to our Investigative Section for video enhancement on digital video recordings. This training is required as part of the grant and is completed paid for by the Department of the Army.

HIRINGS

Approval of Reclassification of (1) Communication Specialist from temporary full time to permanent full time. Public Safety Committee provided their recommendation for reclassification at its January 30, 2006 meetings.

Approval to hire a Customer Service Clerk in the Utility Billing Section within the Finance Department. Hire of individual selected through the interview process on 7/20/06.

COUNCILORS REPORTS

Councilor Moore invited Council to the Water Board Forum at Luna Community College and also spoke of the clean up at King Stadium. Councilor Moore also asked City Manager Avila to

get a final sick leave policy before September 1st, as it is time to address some of our losses, this is one way of looking towards this.

Councilor Roybal advised that he is glad that we are moving in the right direction with the Housing Authority.

Councilor Madrid advised that he does plan to attend the forum, although reminded that if there are more than four councilors, one must step out as this would consist of a forum. He also advised that it looks like Department Heads pulled together and came out in the black with the budget especially when it came to the gas.

Councilor Trujillo advised that the attendance at the meetings is getting larger and maybe Council should start thinking about meeting at a different, larger facility until we are able to build a new Chambers.

Councilor Gallegos congratulated the La Plaza Little League players. He also congratulated the team coached by Ramon Vialpando and Mary Jean Ortiz who took district. He thanked Gilbert Vallejos, Ruth Mares, Wayne Sonchar, Diane Dennish, Fraternal Order of Eagles, Mike and Geri Montoya, and Bennie & Ann Marie Gallegos for their donations to the Little League Teams.